

Message Text

CONFIDENTIAL

PAGE 01 USUN N 04632 01 OF 02 100355Z

63

ACTION IO-14

INFO OCT-01 ISO-00 ACDA-19 AEC-11 AF-10 ARA-16 CIAE-00

DODE-00 EA-11 EUR-25 PM-07 H-03 INR-10 L-03 NASA-04

NEA-10 NSAE-00 NSC-10 OIC-04 SPC-03 PA-04 PRS-01

RSC-01 SCI-06 SS-20 USIA-15 SAJ-01 DRC-01 /210 W

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FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 972

INFO AMEMBASSY LONDON

AMEMBASSY STOCKHOLM

AMEMBASSY TEHRAN

USMISSION NATO

USMISSION GENEVA

C O N F I D E N T I A L SECTION 1 OF 2 USUN 4632

DISTO

TEHRAN FOR INTERNATIONAL RED CROSS CONFERENCE - MR. ALDRICH

E.O. 11652 - GDS

TAGS: PARM - SW

SUBJ: DISARMAMENT: SWEDISH RESOLUTION ON NAPALM AND SPECIFIC
CONVENTIONAL WEAPONS

REFS: (A) USUN 4549; (B) USUN 4550

1. SUMMARY: WE HAVE CONTINUED TO EXPLORE POSSIBILITIES
OF REVISION OF SWEDISH DRAFT ON NAPALM USING LANGUAGE
AUTHORIZED IN INSTRUCTIONS (STATE 218191). CANADIANS,
IN EFFORT TO ASSIST SATISFACTORY MODIFICATION OF SWEDISH
RES, DEVELOPED NEW DRAFT OF OPERATIVE PARA ONE BASED ON
US REVISION OF THAT PARA. CONSULTATIONS WITH WESTERN
DELS INDICATED POSSIBILITY THAT LANGUAGE LIKE CANADIAN
MIGHT BE ACCEPTABLE AND COULD SERVE AS BASIS FOR FURTHER
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PAGE 02 USUN N 04632 01 OF 02 100355Z

DISCUSSIONS WITH SWEDES. DELOFFS OF NETHERLANDS, UK,

CANADA, AND US MET WITH SWEDISH, NEW ZEALAND, AND MEXICAN DELOFFS (FROM AMONG CO-SPONSORS) FOR DISCUSSION. WHILE PROBLEMS APPEAR TO REMAIN, DISCUSSIONS WERE CONCILIATORY AND GROUP WILL MEET AGAIN, PROBABLY ON MONDAY, FOR FURTHER DISCUSSION. END SUMMARY

2. IN THE COURSE OF CONSULTATIONS NOV 6 AND 7 WITH WESTERN DELOFFS, SEVERAL DELS TOLD US DELOFF NELSON THAT US PREFERRED VERSION OF LANGUAGE REVISING OPERATIVE PARA ONE OF DRAFT SWEDISH RES ON NAPALM TOO CONVOLUTED. NELSON THEREFORE SUGGESTED ALTERNATIVE LANGUAGE AUTHORIZED IN STATE 218191. IN COURSE OF DISCUSSIONS WITH SWEDISH AMB ECKERBERG (REF B), WHO MADE SAME POINTS ABOUT COMPLEXITY AND LACK OF CALRITY, NELSON GAVE HIM ALTERNATIVE US LANGUAGE AFTER IT WAS CLEAR THAT FIRST VERSION WAS NOT BECOMING BASIS OF SERIOUS NEGOTIATION. ECKERBERG SAID THAT LANGUAGE OF SECOND VERSION WAS AN IMPROVEMENT, BUT STILL DID NOT MEET HIS MAIN PROBLEMS: SEVERAL PHRASES SUCH AS "CONTINUING STUDY" GAVE IMPRESSION THAT PROCESS OF DISCUSSION WOULD BE VERY PROLONGED AND POSSIBLE ACTION ON SPECIFIC CONVENTIONAL WEAPONS WOULD BE FAR IN THE FUTURE; AND REFERENCE TO "GOVERNMENT EXPERTS" IMPLIED STUDY WITHOUT THE PROMISE OF ACTION.

3. IN EFFORT TO ASSIST, CANADIANS (WHO HAVE TOLD US THEY COULD VOTE FOR SWEDISH REV ONE IN ITS PRESENT FORM) ON NOV 8 SUGGESTED NEW LANGUAGE BASED ON US REVISION OF OPERATIVE PARA 1. CANADIAN LANGUAGE FOLLOWS: QUOTE INVITES THE CONFERENCE ON THE REAFFIRMATION AND DEVELOPMENT OF INTERNATIONAL HUMANITARIAN LAW APPLICABLE IN ARMED CONFLICTS TO CONSIDER -- WITHOUT PREJUDICE TO ITS EXAMINATION OF THE TWO ADDITIONAL DRAFT PROTOCOLS SUBMITTED TO IT BY THE INTERNATIONAL COMMITTEE OF THE RED CROSS -- THE USE OF NAPALM AND OTHER INCENDIARY WEAPONS, AS WELL AS OTHER SPECIFIC CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO CAUSE UNNECESSARY SUFFERING OR TO HAVE INDISCRIMINATE EFFECTS AND TO PROPOSE APPROPRIATE PROCEDURES FOR THE CONTINUING STUDY BY GOVERNMENT EXPERTS OF THESE QUESTIONS, WITH A VIEW TO THE DEVELOPMENT OF RULES REGARDING THE PROHIBITION OR RESTRICTION OF USE OF SUCH WEAPONS, WHICH MIGHT BE THE SUBJECT OF SUB-CONFIDENTIAL

CONFIDENTIAL

PAGE 03 USUN N 04632 01 OF 02 100355Z

SEQUENT INTERNATIONAL AGREEMENTS. END QUOTE.

4. SOUNDINGS HERE AND TELECONS WITH DEPARTMENT INDICATED THAT FURTHER DISCUSSION ON BASIS CANADIAN LANGUAGE COULD BE HELPFUL. WE SUGGESTED TO CANADIANS THAT LANGUAGE BE CHANGED TO READ "THE QUESTION OF THE USE", IMMEDIATELY AFTER SECOND DASH. CANADIANS ACCEPTED SUGGESTION, AS DID SWEDES IN LATER DISCUSSION.

5. ON BASIS NOV 7 CONVERSATIONS WITH SWEDES, WE REPORTED TO INTERESTED WESTERN DELS THAT SWEDES APPEARED FLEXIBLE AND INTERESTED IN ARRIVING AT MUTUALLY SATISFACTORY LANGUAGE. SWEDES IN MEANTIME HAD MET WITH THEIR CO-SPONSORS WHO AUTHORIZED THEM, ALONG WITH NEW ZEALAND AND MEXICAN DELS, TO MEET WITH WESTERN DELS FOR FURTHER DISCUSSIONS. WE SUGGESTED TO WESTERN DELS THAT THREE OR FOUR DELEGATIONS WHO WERE PARTICULARLY INTERESTED MIGHT JOIN IN DISCUSSION WITH SWEDES AND OTHERS. CANADA, NETHERLANDS, AND UK EXPRESSED INTEREST IN JOINING WITH US IN MEETING WITH SWEDISH GROUP.

6. ON NOV 9, THE TWO GROUPS OF DELOFFS MET. AT OUR SUGGESTION, CANADIANS SUBMITTED REVISED LANGUAGE FOR OPERATIVE PARA ONE REPORTED PARA 3 ABOVE (PLUS "THE QUESTION OF"). ECKERBERG AGAIN NOTED DIFFICULTIES WITH "CONTINUING STUDY" AND WITH CLAUSE BEGINNING "WITH A VIEW" AND GOING TO END OF PARA. HE MADE PLEA FOR NOT USING PHRASE "GOVERNMENT EXPERTS"; EXPERTS WOULD OBVIOUSLY HAVE TO BE INVOLVED, BUT PHRASE MAKES CONSIDERATION SOUND LIKE AN "ACADEMIC EXERCISE".

7. MARIN (MEXICO) SAID MEXICAN DEL WOULD HAVE DIFFICULTY WITH LANGUAGE BEGINNING "AND TO PROPOSE" TO END OF PARA. HE SAID EFFORT IN ICRC FOR LAST TWO YEARS WAS TO FIND A PROPER FORUM TO PRESENT SPECIFIC PROPOSALS ON WEAPONS. IT WOULD NOT BE SATISFACTORY TO GO TO GENEVA TO DISCUSS PROCEDURES WHICH PUT OFF DISCUSSION OF SPECIFIC PROPOSALS. MEERBURG (NETHERLANDS) DISAGREED, NOTING THAT HIS GOVT THOUGHT WE WERE NOT READY FOR NEGOTIATIONS AND THAT WHAT WAS NECESSARY AT THIS POINT WAS THE ESTABLISHMENT OF APPROPRIATE PROCEDURES FOR DISCUSSION OF THE QUESTION. NEIDLE (US) SUPPORTED MEERBURG. STOKES (NEW ZEALAND) MADE COMMENTS
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PAGE 04 USUN N 04632 01 OF 02 100355Z

SIMILAR TO THOSE OF SWEDES AND MEXICANS. MASEFIELD (UK) NOTED THAT PRESENT BRITISH POSITION WAS A BIG STEP FOR THE UK WHICH HAD PREVIOUSLY BEEN TRYING TO DIVERT ACTION ON SPECIFIC WEAPONS AWAY FROM THE DIPLOMATIC CONFERENCE, WHICH ALREADY HAD A FULL AND IMPORTANT AGENDA.

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PAGE 01 USUN N 04632 02 OF 02 100357Z

63

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INFO OCT-01 ISO-00 ACDA-19 AEC-11 AF-10 ARA-16 CIAE-00

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C O N F I D E N T I A L SECTION 2 OF 2 USUN 4632

8. US DELOFF (NEIDLE), NOTING THAT HE WAS SPEAKING PERSONALLY, POINTED OUT THAT LITTLE REAL WORK HAD BEEN DONE IN FIELD OF SPECIFIC CONVENTIONAL WEAPONS. WE REGARDED THIS AS A SENSITIVE FIELD IN WHICH GREAT MANY QUESTIONS WOULD HAVE TO BE STUDIED AT SOME LENGTH. IT WAS THERFORE DESIRABLE TO RECOGNIZE IN THE RESOLUTION THE NEED TO DEVELOP PROCEDURES ON HOW TO HANDLE THE QUESTION. THE DIPLOMATIC CONFERENCE WOULD BE CONCERNED WITH PROPOSALS WHICH HAD BEEN LONG STUDIED AND PREPARED. AT THE SAME TIME, HE WENT ON, IT WAS ALSO REASONABLE TO MAKE CLEAR THAT THERE WAS A PURPOSE TO THE "STUDY". THIS WAS MADE CLEAR BY THE PHRASING "WITH A VIEW TO THE DEVELOPMENT OF RULES" IN THE CANADIAN LANGUAGE. TO OVERCOME SOME OF THE DIFFICULTIES MENTIONED BY THE REPS OF THE CO-SPONSORS, NEIDLE SUGGESTED THE POSSIBILITY OF USE IN THE CANADIAN DRAFT OF SOME LANGUAGE WHICH THE SWEDES HAD EARLIER SUGGESTED IN THEIR COUNTER PROPOSAL TO US LANGUAGE (REF B). THIS INCLUDED POSSIBLE SUBSTITUTION OF THE PHRASE "CONSIDERATION IN DEPTH" FOR "THE CONTINUING STUDY" AND THE DROPPING OF "SUBSEQUENT" CONFIDENTIAL

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PAGE 02 USUN N 04632 02 OF 02 100357Z

IN THE LAST PHRASE OF THE LANGUAGE AS WELL AS MAKING THE FINAL WORD OF THE PARA SINGULAR. NEIDLE MADE CLEAR THAT HE WAS ONLY EXPLORING VARIOUS POSSIBILITIES, SINCE USG HAD ADOPTED NO DECISION ON THE CANADIAN LANGUAGE. IN

THIS CONNECTION, HE NOTED THAT IT WOULD CLEARLY BE AN IMPROVEMENT IN THE CANADIAN LANGUAGE IF IT REFERRED TO DEVELOPMENT OF "POSSIBLE" RULES.

9. AMB ECKERBERG SAID THAT SOME OF THESE CHANGES WOULD BE IMPROVEMENTS BUT THAT HE WOULD PREFER A PHRASE SUCH AS "TO SEEK AGREEMENT ON POSSIBLE RULES", AND THAT IF REV ONE WERE SO REVISED IT SHOULD, HE BELIEVED, BE FLEXIBLE ENOUGH FOR US. NEIDLE NOTED THAT ADDING "POSSIBLE", AS SUGGESTED BY ECKERBERG, WAS NOT REALLY A SOLUTION SINCE THE CONFERENCE WOULD STILL BE INVITED TO SEEK (I.E. TRY TO REACH) AGREEMENT IN ITS FIVE WEEKS SESSION; THIS WAS NOT REALISTIC. (MEERBURG SUGGESTED PRIVATELY TO US LATER PHRASING FOR THE LAST TWO CLAUSES OF THE SUGGESTED CANADIAN LANGUAGE WHICH WOULD READ "WITH A VIEW TO THE DEVELOPMENT OF POSSIBLE RULES REGARDING THE PROHIBITION OR RESTRICTION OF USE OF SUCH WEAPONS WHICH CAN (OR WILL BE) THE SUBJECT OF INTERNATIONAL AGREEMENT", NOTING THAT THE ADDITION OF "POSSIBLE" MADE FEASIBLE THE USE OF "CAN" OR "WILL BE".) MEERBURG, AT THE MEETING, SAID THAT IF SATISFACTORY LANGUAGE COULD BE AGREED UPON THE DUTCH GOVT WOULD BE ANXIOUS TO CO-SPONSOR THE SWEDISH RES. THE GROUP DECIDED THAT THE DISCUSSIONS HAD BEEN PROFITABLE, THAT THERE WERE VERY NARROW DIFFERENCES BETWEEN THE TWO SIDES AND THEY FELT FURTHER REVIEW AND DISCUSSION ON NOV 12 WOULD BE USEFUL. SCALI

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